

PUBLIC CHAPTER NO. 805

SENATE BILL NO. 870

By Harper, Marrero

Substituted for: House Bill No. 1168

By Sontany, Moore, Briley, Hardaway

AN ACT to amend Tennessee Code Annotated, Title 44, Chapter 17 and Title 63, Chapter 12, relative to animals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 44, Chapter 17, is amended by adding the following as a new Part 6:

Section 44-17-601.

(a) As used in this part, unless the context otherwise requires, "chemical capture" means the capture of a dog or cat by means of sedation using approved drugs as provided in this part and appropriate drug administering equipment.

(b) Chemical capture by certified animal chemical capture technicians shall only be effected by use of Telazol or such other drugs as may be determined by the board of veterinary medical examiners.

(c) Drugs used for chemical capture shall only be administered by a licensed veterinarian, a licensed veterinary technician employed by and functioning under the direct supervision of a licensed veterinarian, or such other individuals qualified as certified animal chemical capture technicians as determined by the board of veterinary medical examiners pursuant to Section 63-12-144.

(d) With respect to certified animal chemical capture technicians, chemical capture shall be effected only in accordance with a written protocol and only when all other methods of capture have failed.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 12, Part 1, is amended by adding the following as a new section:

Section 63-12-144.

(a) The board of veterinary medical examiners, upon submission of a complete application and payment of a fee established by the board, shall issue to any governmental animal control agency that the board determines to be qualified and that has a valid premises permit issued by

the board, a certificate authorizing chemical capture of animals under this section by certified animal chemical capture technicians. Such agencies shall submit, as part of the application, a written protocol for chemical capture of animals by certified animal chemical capture technicians to the board for approval. Such protocol shall include, at a minimum, the procedure for removing the dart from a captured animal, first aid care of the dart wound, the procedure for providing veterinary care to the animal immediately upon capture, the appropriate location and handling of the animal during recovery from anesthesia, and the supervisory structure regarding who makes the final decision to proceed with the chemical capture of an animal. It is a Class B misdemeanor for any person or entity to engage in the chemical capture of animals or imply that such person or entity has been granted a certificate as a certified animal control agency with a premises permit unless such certificate and permit have been granted under the provisions of this title.

(b) The board, upon submission of a complete application and payment of a fee established by the board, shall issue to any person who the board determines to be qualified, a certificate for such person to function as a certified animal chemical capture technician. Applicants shall be required to have successfully completed a sixteen (16) hour chemical immobilization certification course. Such course must be approved by the board and the curriculum of such course shall include pharmacology, proper administration, recordkeeping, chemical capture technology, animal behavior, postimmobilization procedures, proper public and personnel safety, and marksmanship training. It is a Class B misdemeanor for any person to chemically capture animals or imply that such person has been granted a certificate as a certified animal chemical capture technician unless a certificate has been granted under the provisions of this title.

(c) The chemical capture of dogs and cats, as defined in Section 44-17-601, shall only be performed by a licensed veterinarian, a licensed veterinary technician employed by and functioning under the direct supervision of a licensed veterinarian, or a certified animal chemical capture technician as provided by law. Telazol and such other drugs that the board may approve shall be the only drugs used for the chemical capture of dogs and cats by a certified animal chemical capture technician.

(d) Tranquilizer guns shall be used for the humane chemical capture of dogs and cats. Any such tranquilizer gun shall have the capability to track the darts it shoots, and shall be well maintained and kept in a high state of repair at all times.

(e) Certified animal control agencies and certified animal chemical capture technicians shall be required to renew their certificates at such intervals, upon such conditions and upon the payment of such fees as may be established by the board.

(f) Nothing in this part shall be construed to limit in any way the practice of a licensed veterinarian as provided by law.

SECTION 3. The board of veterinary medical examiners is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2009, the public welfare requiring it.

PASSED: April 10, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of April 2008



PHIL BREDESEN, GOVERNOR